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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRED AGUIRRE, individually and on behalf of others similarly situated,) Case No.: C 07 1534 MJJ
Plaintiff,)
vs.)
BP WEST COAST PRODUCTS LLC,)
CHEVRON USA, INC., CIRCLE K)
STORES, INC., CITGO PETROLEUM)
CORPORATION, COSTCO WHOLESALE)
CORPORATION, FLYING J, INC., LOVE'S)
TRAVEL STOPS & COUNTRY STORES,)
INC., PETRO STOPPING CENTERS, L.P.,)
PILOT TRAVEL CENTERS LLC, SHELL)
OIL PRODUCTS COMPANY LLC AND)
VALERO MARKETING AND SUPPLY)
COMPANY,)
Defendants.)
STIPULATION AND [PROPOSED])
ORDER TO STAY PROCEEDINGS)
PENDING A TRANSFER DECISION BY)
THE JUDICIAL PANEL ON)
MULTIDISTRICT LITIGATION;)
ORDER THEREON)

WHEREAS the above-captioned case is one of more than 35 cases filed in district courts throughout the United States that are the subject of a motion to transfer and consolidate pursuant to 28 U.S.C. §1407 that is pending before the Judicial Panel on Multidistrict Litigation (the “Panel”); and

WHEREAS the parties agree that the Panel is likely to transfer this and the other pending actions like it to a single district for coordinated pretrial proceedings; and

WHEREAS the parties further believe that judicial economy and efficiency will be served, and that duplicative discovery and motion practice and the risk of inconsistent orders or rulings in this case and the various other similar cases can be avoided if this case is stayed for a short time, pending a ruling by the Panel; and

WHEREAS stays already have been entered in many of the cases that are the subject of the transfer motion before the Panel, including *Rushing, et al. v. Alon USA, inc., et al.*, Northern District of California Case No. C 06 7621 PJH; and *Telles, et al. v. ConocoPhillips Company, et al.*, Northern District of California Case No. C 07 1305 S C;

NOW THEREFORE, the parties, through their undersigned counsel, stipulate and agree that the above-captioned case should be stayed pending a ruling the Panel, and that an Order to that effect should be entered pursuant to Civil L.R. 7-12. The parties further agree to notify the Court within ten days of receipt of a ruling by the Panel on the motion to transfer.

Dated: April 10, 2007

/s/ Frederick Brown

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5 *Filer's Attestation: Pursuant to General Order No. 45 Section X(B) regarding
signatures, Frederick Brown hereby attests that concurrence in the filing of this
document has been obtained.*

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ATTORNEYS FOR VALERO MARKETING
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PURSUANT TO STIPULATION, IT SO ORDERED.

Dated: 04/12/07

Honorable Judge Martin J.
United States District Judge

IT IS SO ORDERED
Martin J. Jenkins
Judge Martin J. Jenkins